IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 2230 of 2004

Between:

Smt.Pulla Sathiamma @ Katta Laxmi D/o.Pulla Narsimlu, Aged 43 years,

R/o.H.No.4-3-169, Metpalli Town & Mandal, Karimnagar District.

..... PETITIONER

AND

1 The Station House Officer , Metpally Police Station Metpally, Karimnagar District.
2 Katta Narsa Goud S/o.Pedda Gangaram R/o.H.No.1-10-152, Kalanagar, Metpalli town and Mandal, Karimnagar District.
3 Pudari Raja Narsimlu S/o.Rama Goud, R/o.H.No.2-1-376, Metpalli Town & Mandal, Karimnagar District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent No.1 in not taking any action against the respondents No.2 and 3 even though a FIR in Crime No.2 of 2004 dated 3.1.2004 registered for the offences punishable under Sections 468 and 420 IPC which are cognizable and non-bailable offences, as arbitrary, illegal, null and void and violative the provisions of the Criminal procedure code and consequently direct the respondent No.1 to take necessary action as against the respondents No.2 and 3 in FIR in Crime No.2 of 2004 as per law.

Counsel for the Petitioner: MR.K.VENUMADHAV, Advocate.

Counsel for the Respondent No.1: Govt. Pleader for Home.

The Court made the following:

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Oral Order:

This writ petition is filed complaining the inaction on the part of respondent No.1 in completing the investigation in Cr.No.2 of 2004 registered for the offence under Sections 468 and 420 IPC against the respondents 2 and 3. The very fact that crime was registered on 03-01-2004 and the petitioner filed the writ petition on 04-02-2004 in haste exactly after a month lacks bona-fide, since the petitioner wants that respondents 2 and 3 to be arrested. Now it is represented that police after due investigation into the crime filed report before the jurisdictional Magistrate for which petitioner already filed protest application and it is for the Magistrate to take cognizance of the offence.

In view of the same, no further cause survives in the writ petition and it is accordingly dismissed. No costs.

_____ A.GOPAL REDDY, J.

15-07-2004

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Station House Officer, Metpally Police Station Metpally, Karimnagar District.
2.Two CCs to the Govt. Pleader for Home, High Court Buildings (OUT)

3.Two CD copies.